

Shaw Witness Seeks Immunity

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NEW ORLEANS, Feb. 3 — Charging harassment by District Attorney Jim Garrison, lawyers for Clay L. Shaw sought a grant of immunity today to permit a key defense witness to testify at Shaw's conspiracy trial.

The witness, Lily McMaines, once lived in New Orleans and now lives in Des Moines, Iowa. Her attorney has said she can "tear to shreds" the testimony of the prosecution's main witness.

Judge Edward A. Haggerty Jr. scheduled oral argument on the motion after selection of a second alternate juror, possibly Tuesday.

Chief Witness

Shaw, 55-year-old former civic leader, is accused by Garrison of conspiracy to assassinate President Kennedy. Chief witness against him is expected to be Perry R. Russo, 28, a former insurance salesman who has testified that he overheard Shaw plotting the murder with the late David Ferrie and Lee Harvey Oswald.

Russo swore that in September, 1963, Mrs. McMaines, then known as Sandra Moffett, accompanied him to Ferrie's apartment where the three men discussed murder and getaway techniques. But Mrs. McMaines has maintained that while she knew Russo, she did not know Shaw and had not met Ferrie at that time.

Shaw's lawyers said Mrs. McMaines, now the wife of a minister, fears repressive legal action by Garrison and



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Clay Shaw, right, and his attorney, F. Irvin Dymond, head for court to start third week of jury selection.

"other politicians" if she should return to New Orleans. She can not be compelled to come because Louisiana has no interstate witness agreement with Iowa.

Her fears, according to defense attorney Edward F. Wegmann, are based on Garrison's action in March, 1967, shortly after Shaw was indicted, in swearing out a complaint charging her with being a fugitive from justice. It was forwarded to Omaha, Neb., where she had then lived.

The 14th and last juror is expected to be selected Tuesday from a pool of 150 persons, most of whom will have read about the defense motion and charges. Each of the 13 men already seated, including one who was approved today, has been sequestered in a nearby motel.

Approved as the first alternate juror was John J. Beilman Jr., 26, an employee of a microfilm processing firm who is married and has no children.

Opposition to Tape

Judge Haggerty was advised informally today that a local attorney was withdrawing his opposition to the use of another important item of defense evidence.

Attorney Hugh Exnicios had said the lawyer-client relationship would be invaded if the defense divulged in court a tape recording of an alleged meeting involving his client, Alvin Beauboeuf, and a Garrison investigator. Beauboeuf, a close friend of Ferrie's, has charged the investigator with attempted bribery and intimidation.

Exnicios sent word to Judge Haggerty that he wished to waive the privilege in accordance with Beauboeuf's wishes.